

Amendment  
Serial No. 10/642,270  
Attorney Docket No. 030897

### **REMARKS**

Claims 1, 2, 4 and 5 are pending in the present application. Claims 1 and 2 were rejected.  
Claims 1, 2, 4 and 5 are herein amended. Claim 3 is herein cancelled without prejudice.

#### **Applicant's Response to Objections to the Specification**

The Examiner objected to the abstract of the disclosure because it contained implied language such as "[t]he object of the invention is to provide..." In response, Applicant has herein amended the abstract in order to correct this language.

#### **Applicant's Response to Claim Objections**

The Examiner objected to claim 4 as being dependent on a rejected base claim. Although not explicitly stated in the Office Action, it appears that the Examiner regards claim 4 as patentable since it was placed under a section entitled "Allowable Subject Matter."

#### **Applicant's Response to Claim Rejections under 35 U.S.C. §102**

Claims 1 and 2 were rejected under 35 U.S.C. §102(e) as being anticipated by Takano et al. (U.S. Patent No. 6,574,976).

This rejection has been rendered moot by the present amendment incorporating the features of claim 3 and 4 into claim 1.

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**Applicant's Response to Claim Rejections under 35 U.S.C. §103**

**Claim 3 was rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Takano as evidenced by Hopkins, Jr. (U.S. Patent No. 5,671,905).**

**Takano** discloses a pilot-type solenoid valve 15 and a differential pressure valve 16. **Takano** appears to disclose a diaphragm 67 situated on the outer periphery of main valve 64 which appears to be used as an elastic partition member.

Applicant has amended claim 1 in order to recite the subject matter of claim 3. Furthermore, the Examiner has implied that claim 4, which recites a main valve piston having an orifice, is allowable. For this reason, Applicant has amended claim 1 in order to recite a main valve piston having an orifice. Such a valve piston is not disclosed or suggested by **Takano** or **Hopkins, Jr.** Applicant respectfully submits that this amendment is sufficient to distinguish the claims from the cited art. Applicant has drafted the amendment to claim 1 generically, so that it may serve as a generic linking claim between the species of claims 4 and 5. Favorable reconsideration is respectfully requested.

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For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by applicant would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicant's undersigned agent.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,  
**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

  
**Stephen G. Adrian**  
Attorney for Applicant  
Registration No. 32,878  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

SGA/RBC/meu